

EXHIBIT 22

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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE

12 CISCO SYSTEMS, INC.,

Case No. 5:14-cv-05344-BLF (PSG)

13 Plaintiff,

**DEFENDANT ARISTA NETWORKS,
INC.'S SECOND SET OF
INTERROGATORIES (NOS. 16-17)**

14 v.

15 ARISTA NETWORKS, INC.,

Date Filed: December 5, 2014

16 Defendant.

Trial Date: Not set.

1 Pursuant to Federal Rules of Civil Procedure 26 and 33, Defendant Arista Networks, Inc.
 2 (“Arista”) requests that Plaintiff Cisco Systems, Inc. (“Cisco”) answer in writing and under oath
 3 the following Interrogatories within thirty days of service hereof.

4 **DEFINITIONS AND INSTRUCTIONS**

5 The following Interrogatories are to be read, interpreted, and answered with reference to
 6 the following definitions and instructions.

7 **DEFINITIONS**

8 1. “Cisco,” “you,” and “your” means Cisco Systems, Inc., including all agencies,
 9 divisions, instrumentalities, establishments, and branches thereof; all of its agents, employees,
 10 directors, officers, predecessors in interest, successors in interest, parents and subsidiaries; and
 11 anyone acting on their behalf.

12 2. “Arista” refers to Defendant Arista Networks, Inc., including all agencies,
 13 divisions, instrumentalities, establishments, and branches thereof; all of its agents, employees,
 14 directors, officers, predecessors in interest, successors in interest, parents and subsidiaries; and
 15 anyone acting on their behalf.

16 3. “CLI Command” means any word or combination of words that is used or
 17 recognized as a command in a command line interface.

18 4. “Network Management Product” means any product used to monitor, configure, or
 19 otherwise manage network devices and/or their associated firmware and software, including
 20 without limitation Your CiscoWorks Networks Compliance Monitor product and all device
 21 drivers that it supports (or has ever supported), the Tail-f Network Control System (NCS) and all
 22 network element drivers (NEDs) that it supports (or has ever supported), and the Cisco Network
 23 Service Orchestrator (NSO) enabled by Tail-f, and all NEDs that it supports (or has ever
 24 supported).

25 5. “Asserted Patents” refers to U.S. Patent No. 7,047,526 (“the ‘526 patent”) and
 26 U.S. Patent No. 7,953,886 (“the ‘886 patent”).

27 6. “Asserted Claim” means any claim of the Asserted Patents.

1 7. “Document” is defined to be synonymous in meaning and equal in scope to the
 2 usage of the term “documents or electronically stored information” in Federal Rule of Civil
 3 Procedure 34(a)(1)(A). A draft or non-identical copy is a separate document within the meaning
 4 of this term. Any comment or notation appearing on any document, and not a part of the original
 5 text, is to be considered a separate “document.”

6 8. “Person” is defined as any natural person or any legal entity, including, without
 7 limitation, any business or governmental entity or association.

8 9. “Communication” means the transmittal of information (in the form of facts, ideas,
 9 inquiries or otherwise).

10 10. When used with respect to a natural person, “identify” means that you are required
 11 to provide the following information: name; last known business address; last known residence
 12 address; last known telephone number; names of the employers or businesses with whom the
 13 person is or was associated; and the person’s title, position, and duties at the time relevant to the
 14 identification.

15 11. When used with respect to a person that is not a natural person, “identify” means
 16 that you are required to provide, to the extent applicable, the same information required as if the
 17 entity were a natural person, and to state the nature of the entity (e.g., partnership, corporation,
 18 etc.).

19 12. When used with respect to a document, “identify” means that you are required to
 20 provide, to the extent applicable, the (i) type of document; (ii) date of the document; (iii)
 21 author(s), addressee(s) and recipient(s); and (iv) any Bates number assigned to the document in
 22 this action.

23 13. “Relating to” means relating to, referring to, concerning, mentioning, reflecting,
 24 pertaining to, evidencing, involving, describing, discussing, commenting on, embodying,
 25 responding to, supporting, contradicting, or constituting (in whole or in part), as the context
 26 makes appropriate.

27 14. “All,” “any,” and “each” shall each be construed as encompassing any and all.

15. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

16. All pronouns shall be construed to refer to the masculine, feminine, or neuter gender, in singular or plural, as in each case makes the request more inclusive.

17. The use of the singular form of any word includes the plural and vice versa.

INSTRUCTIONS

The following instructions shall apply to each of the Interrogatories herein:

1. In answering the following Interrogatories, furnish all available information, including information in your possession, custody, or control. If you cannot fully respond to the following Interrogatories after exercising due diligence to secure the information requested thereby, so state, and specify the portion of each Interrogatory that cannot be responded to fully and completely. In the latter event, state what efforts were made to obtain the requested information and the facts relied upon that support the contention that the Interrogatory cannot be answered fully and completely; and state what knowledge, information or belief Cisco has concerning the unanswered portion of any such Interrogatories.

2. If any information requested is claimed to be privileged or otherwise immune from discovery, please provide all information falling within the scope of the Interrogatory which is not privileged, and for each item of information contained in a document to which a claim of privilege is made, identify such document with sufficient particularity for purposes of a motion to compel, such identification to include at least the following:

(a) For documents: (i) the type of document, e.g., letter or memorandum; (ii) the general subject matter of the document; (iii) the date of the document; and (iv) the author of the document, the addressees of the document, and any other recipients, and, where not apparent, the relationship of the author, addressees, and recipients to each other;

(b) For oral communications: (i) the name of the person making the communication and the names of persons present while the communication was made and, where not apparent, the relationship of the persons present to the person making the communication; (ii) the date and

place of communications; and (iii) the general subject matter of the communications.

3. Cisco's obligation to respond to these Interrogatories is continuing and its responses are to be supplemented to include subsequently acquired information in accordance with the requirements of Rule 26(e) of the Federal Rules of Civil Procedure.

INTERROGATORIES

INTERROGATORY NO. 16:

For each CLI Command listed in Cisco’s Second Amended Complaint (including exhibits) and each command hierarchy listed in Cisco’s Second Amended Complaint (including exhibits), and each command mode and prompt listed in Cisco’s Second Amended Complaint (including exhibits), identify: (i) the author or originator of such Command, command hierarchy, command mode and prompt, (ii) the date of such authorship or creation, (iii) the document(s) in which such Command, command hierarchy, command mode or prompt was first fixed in any tangible medium of expression, (iv) the document(s) in which such Command, command hierarchy, command mode or prompt was first published, and (v) the first Cisco product (including version number) that used or responded to each CLI Command, command hierarchy, command mode or prompt.

INTERROGATORY NO. 17:

Identify each and every document in your possession relating to any non-Cisco CLI, including the custodian of each document and how Cisco came to be in possession of each document.

Dated: July 24, 2015

KEKER & VAN NEST LLP

By:

Edu M

ROBERT A. VAN NEST
BRIAN L. FERRALL
DAVID J. SILBERT
MICHAEL S. KWUN

Attorneys for Defendant ARISTA
NETWORKS, INC.

1 PROOF OF SERVICE
2

3 I am employed in the City and County of San Francisco, State of California in the office of a
 4 member of the bar of this court at whose direction the following service was made. I am over the
 age of eighteen years and not a party to the within action. My business address is Keker & Van
 Nest LLP, 633 Battery Street, San Francisco, CA 94111-1809.

5 On July 24, 2015, I served the following document(s):

6 **DEFENDANT ARISTA NETWORKS, INC.'S SECOND SET OF
7 INTERROGATORIES (NOS. 16-17)**

- 8 by **E-MAIL VIA PDF FILE**, by transmitting on this date via e-mail a true and correct copy
 9 scanned into an electronic file in Adobe "pdf" format. The transmission was reported as
 complete and without error.

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1 Executed on July 24, 2015, at San Francisco, California.

2 I declare under penalty of perjury under the laws of the State of California that the above is true
3 and correct.

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